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HAND DELIVERY TO GROUP ART UNIT 1656

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 00-715-B)

PATENT

In re Application of:

Chad A. Mirkin, et al.

Serial No.: 10/716,829

Filed: November 18, 2003

For: NANOPARTICLES HAVING
OLIGONUCLEOTIDES ATTACHED
THERETO AND USES THEREFOR

Examiner: TBA

Art Unit: 1656

Confirmation No. TBA

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In regard to the above identified application.

1. We are transmitting herewith the attached:

- a) Information Disclosure Statement copies of 5 references
- b) Supplemental Information Disclosure Statement with copies of 9 references
- c) Second Supplemental Information Disclosure Statement with copies of 16 references
- d) Third Supplemental Information Disclosure Statement with copies of 3 references
- e) Fourth Supplemental Information Disclosure Statement with copies of 60 references
- f) Fifth Supplemental Information Disclosure Statement with copies of 4 references
- g) Sixth Supplemental Information Disclosure Statement with copies of 29 references
- h) Seventh Supplemental Information Disclosure Statement with copies of 11 references
- i) Return Receipt Postcard

2. With respect to fees:

- a) No check is attached.
- b) **General Authorization:** Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.

Date:

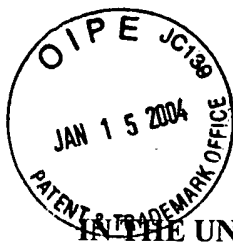
1/14/04

Respectfully submitted,

Emily Miao

Registration No. 35,285

McDonnell Boehnen Hulbert & Berghoff
300 South Wacker Drive, 32nd Floor
Chicago, IL 60606
Telephone: (312) 913-0001
Fax: (312) 913-0002



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 00-715-B)

In the Application of:)	
)	
Chad A. Mirkin, et al.)	
)	Examiner: TBA
Serial No.: 10/716,829)	
)	Group Art Unit: 1656
Filed: November 18, 2003)	
)	Confirmation No. TBA
For: NANOPARTICLES HAVING)	
OLIGONUCLEOTIDES ATTACHED)	
THERE TO AND USES THEREFOR)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In order to comply with discretionary regulations 37 CFR §§1.97 and 1.98, attached hereto is Form PTO-1449, copies¹ of the documents listed thereon. These documents contain information which the Examiner may consider to be important in deciding whether to allow the present application to issue as a patent.

1. Brada, et al., "Golden Blot" – Detection of Polyclonal and Monoclonal Antibodies Bound to Antigens on Nitrocellulose by Protein A-Gold Complexes, *Analytical Biochemistry*, Vol. 42, pp. 79-83 (1984) U.S.

¹To the extent that a document is listed and no copy of same is attached, then such document is not at the present time available to the undersigned or is available in the file of a parent application. If a listed document is not in the English language and an English translation is readily available, such translation is also attached; if translation is not attached it is not readily available to the undersigned. If a foreign language patent document is cited, and an English language equivalent is known to the undersigned, then such equivalent patent is also cited on the attached form along with the corresponding foreign language patent and a connecting arrow indicated therebetween; if no such English language equivalent is cited, then none is known to undersigned.

2. Dunn, et al., "A Novel Method to Map Transcripts: Evidence for homology between an Adenovirus mRNA and Discrete Multiple Regions of the Viral Genome, *Cell*, Vol. 12, pp. 23-36, (1997) U.S.
3. Hacker, "High performance Nanogold – Silver in situ hybridisation, *Eur. J. Histochem*, Vol. 42, pp. 111-120 (1998) U.S.
4. Ranki, et al., "Sandwich hybridization as a convenient method for the detection of nucleic acids in crude samples," *Gene*, Vol. 21, pp. 77-85 (1983) U.S.
5. Romano, et al., "An antiglobulin reagent labelled with colloidal gold for use in electron microscopy," *Immunochemistry*, Vol. 11, pp. 521-522 (1974) Great Britain

In accordance with MPEP Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

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search, will review for relevance every document cited on the attached form even if not initialed.

Early and favorable consideration is earnestly solicited.

Respectfully submitted,



Emily Miao
Registration No. 35,285

Dated: Jan. 14, 2004

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FORM PTO-1449
(Rev. 2-32)

U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.

00-715-B

Serial No.

10/716,829

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)



Applicant:

Chad A. Mirkin, et al.

Filing Date:

November 18, 2003

Group:

1656

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate

FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Subclass	Translation Yes No

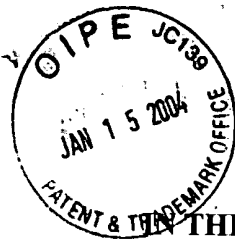
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

1.	Brada, et al., "Golden Blot" – Detection of Polyclonal and Monoclonal Antibodies Bound to Antigens on Nitrocellulose by Protein A-Gold Complexes, <i>Analytical Biochemistry</i> , Vol. 42, pp. 79-83 (1984) U.S.
2.	Dunn, et al., "A Novel Method to Map Transcripts: Evidence for homology between an Adenovirus mRNA and Discrete Multiple Regions of the Viral Genome, <i>Cell</i> , Vol. 12, pp. 23-36, (1997) U.S.
3.	Hacker, "High performance Nanogold – Silver in situ hybridisation, <i>Eur. J. Histochem</i> , Vol. 42, pp. 111-120 (1998) U.S.
4.	Ranki, et al., "Sandwich hybridization as a convenient method for the detection of nucleic acids in crude samples," <i>Gene</i> , Vol. 21, pp. 77-85 (1983) U.S.
5.	Romano, et al., "An antiglobulin reagent labelled with colloidal gold for use in electron microscopy," <i>Immunochemistry</i> , Vol. 11, pp. 521-522 (1974) Great Britain

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation consider whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.



PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 00-715-B)

In the Application of:)	
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Chad A. Mirkin, et al.)	
)	Examiner: TBA
Serial No.: 10/716,829)	
)	
Filed: November 18, 2003)	Group Art Unit: 1656
)	
For: NANOPARTICLES HAVING)	Confirmation No. TBA
OLIGONUCLEOTIDES ATTACHED)	
THERE TO AND USES THEREFOR)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In order to comply with discretionary regulations 37 CFR §§1.97 and 1.98, attached hereto is Form PTO-1449, copies¹ of the documents listed thereon. These documents contain information which the Examiner may consider to be important in deciding whether to allow the present application to issue as a patent.

1. Stimpson, et al., U.S. Patent No. 5,599,668 issued 02/04/97.
2. Weiss, et al., U.S. Patent No. 5,990,479 issued 11/23/99.

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3. Stimpson, et al., "Real-time detection of DNA hybridization and melting on oligonucleotide arrays by using optical wave guides," *Proc. Natl. Acad. Sci.*, Vol. 92, pp. 6379-6383, California Institute of Technology (1995) U.S.
4. Storhoff, et al., "Strategies for Organizing Nanoparticles into Aggregate Structures and Functional Materials," *Journal of Cluster Science*, Vol. 8, No. 2, pp. 179-217, Plenum Publishing Corporation (1997) U.S.
5. Storhoff, et al., "One-Pot Colorimetric Differentiation of Polynucleotides with Single Base Imperfections Using Gold Nanoparticle Probes," *J. Am. Chem. Soc.*, Vol. 120, pp. 1961-1964, American Chemical Society (1998) U.S.
6. Velev, et al., "In Situ Assembly of Colloidal Particles into Miniaturized Biosensors," *Langmuir*, Vol. 15, No. 11, pp. 3693-3698, American Chemical Society (1999) U.S.
7. Zhu, et al., "The First Raman Spectrum of an Organic Monolayer on a High-Temperature Superconductor: Direct Spectroscopic Evidence for a Chemical Interaction between an Amine and $\text{Yb}_2\text{Cu}_3\text{O}_{7-\delta}$," *J. Am. Chem. Soc.*, Vol. 119, pp. 235-236, American Chemical Society (1997) U.S.
8. Yguerabide, et al., "Light-Scattering Submicroscopic Particles as Highly Fluorescent Analogs and Their Use as Tracer Labels in Clinical and Biological Applications," I. Theory, *Analytical Biochemistry*, Vol. 262, pp. 137-156 (1998) U.S.
9. Yguerabide, et al., "Light-Scattering Submicroscopic Particles as Highly Fluorescent Analogs and Their Use as Tracer Labels in Clinical and Biological Applications," II. Experimental Characterization, *Analytical Biochemistry*, Vol. 262, pp. 157-176 (1998) U.S.

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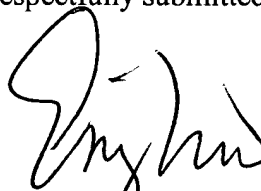
Early and favorable consideration is earnestly solicited.

Dated: _____

1/14/04

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300 South Wacker Drive
Chicago, Illinois 60606
Telephone : (312) 913-0001
Facsimile: (312) 913-0002

Respectfully submitted,



Emily Miao
Registration No. 35,285

FORM PTO-1449 (Rev. 2-32)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. 00-715-B	Serial No. 10/716,829
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Applicant: Chad A. Mirkin, et al.	
		Filing Date: November 18, 2003	Group: 1656



U.S. PATENT DOCUMENTS

Examiner Initial	Serial No.	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	1.	5,599,668	02/04/97	Stimpson, et al.			
	2.	5,990,479	11/23/99	Weiss, et al.			

FOREIGN PATENT DOCUMENTS

Examiner Initial	Serial No.	Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

3.	Stimpson, et al., "Real-time detection of DNA hybridization and melting on oligonucleotide arrays by using optical wave guides," <i>Proc. Natl. Acad. Sci.</i> , Vol. 92, pp. 6379-6383, California Institute of Technology (1995) U.S.
4.	Storhoff, et al., "Strategies for Organizing Nanoparticles into Aggregate Structures and Functional Materials," <i>Journal of Cluster Science</i> , Vol. 8, No. 2, pp. 179-217, Plenum Publishing Corporation (1997) U.S.
5.	Storhoff, et al., "One-Pot Colorimetric Differentiation of Polynucleotides with Single Base Imperfections Using Gold Nanoparticle Probes," <i>J. Am. Chem. Soc.</i> , Vol. 120, pp. 1961-1964, American Chemical Society (1998) U.S.
6.	Velev, et al., "In Situ Assembly of Colloidal Particles into Miniaturized Biosensors," <i>Langmuir</i> , Vol. 15, No. 11, pp. 3693-3698, American Chemical Society (1999) U.S.
7.	Zhu, et al., "The First Raman Spectrum of an Organic Monolayer on a High-Temperature Superconductor: Direct Spectroscopic Evidence for a Chemical Interaction between an Amine and Yb ₂ Cu ₃ O _{7-δ} ," <i>J. Am. Chem. Soc.</i> , Vol. 119, pp. 235-236, American Chemical Society (1997) U.S.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

FORM PTO-1449
(Rev. 2-32)

U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.

00-715-B

Serial No.

10/716,829

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)



Applicant:

Chad A. Mirkin, et al.

Filing Date:

November 18, 2003

Group:

1656

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate

FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Subclass	Translation Yes No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

8.	Yguerabide, et al., "Light-Scattering Submicroscopic Particles as Highly Fluorescent Analogs and Their Use as Tracer Labels in Clinical and Biological Applications," I. Theory, <i>Analytical Biochemistry</i> , Vol. 262, pp. 137-156 (1998) U.S.
9.	Yguerabide, et al., "Light-Scattering Submicroscopic Particles as Highly Fluorescent Analogs and Their Use as Tracer Labels in Clinical and Biological Applications," II. Experimental Characterization, <i>Analytical Biochemistry</i> , Vol. 262, pp. 157-176 (1998) U.S.

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PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Our Case No. 00-715-B)

In re Application of:)	
)	
Chad A. Mirkin, et al.)	
)	
Serial No. 10/716,829)	Examiner: TBA
)	
Filed: November 18, 2003)	Art Unit: 1656
)	
For: Nanoparticles Having Oligonucleotides)	Confirmation No. TBA
Attached Thereto and Uses Therefor)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In order to comply with discretionary regulations 37 CFR §§1.97 and 1.98, attached hereto is Form PTO-1449, copies¹ of the documents listed thereon. These documents contain information which the Examiner may consider to be important in deciding whether to allow the present application to issue as a patent.

1. WO 92/04469 published 19 March 1992
2. WO 90/02205 published 8 March 1990

¹To the extent that a document is listed and no copy of same is attached, then such document is not at the present time available to the undersigned or is available in the file of a parent application. If a listed document is not in the English language and an English translation is readily available, such translation is also attached; if translation is not attached it is not readily available to the undersigned. If a foreign language patent document is cited, and an English language equivalent is known to the undersigned, then such equivalent patent is also cited on the attached form along with the corresponding foreign language patent and a connecting arrow indicated therebetween; if no such English language equivalent is cited, then none is known to undersigned.

3. Borman, *Chem. Eng. News*, December 9, 1996, pp. 42-43 (1996)
4. Tomlinson et al. *Anal Biochem*, Vol. 171, pp. 217-222 (1998)

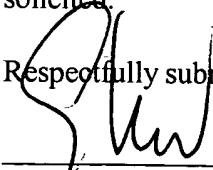
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Early and favorable consideration is earnestly solicited.

Respectfully submitted,

Dated: January 14, 2004



Emily Miao
Registration No. 35,285

McDonnell Boehnen Hulbert & Berghoff
300 South Wacker Drive
Chicago, Illinois 60606
Telephone: (312) 913-0001
Facsimile: (312) 913-0002

Atty. Docket No.
00-715-B

Serial No.
10/716,829

INFORMATION DISCLOSURE STATEMENT BY APPLICANT



Applicant: MIRKIN et al.

Filing Date: November 18, 2003

Group: 1656

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Subclass	<div> <div>Translation</div> <div>Yes No</div> </div>
	1.	WO 92/04469	19 March 1992	PCT			X
	2.	WO 90/02205	8 March 1990	PCT			X

OTHER DOCUMENTS - Including Author, Title, Date, Pertinent Pages, Etc.

[illegible]

Examiner	Date Considered
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PATENT

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(Case No. 00-715-B)

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THERE TO AND USES THEREFOR)	

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SEVENTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

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1. Heller, et al., U.S. Patent No. 4,966,143 issued 02/26/91
2. Kausch, et al., U.S. Patent No. 5,508,164 issued 04/16/96
3. Ewart, et al., U.S. Patent No. 5,922,537 issued 07/13/99
4. An, et al., U.S. Patent No. 5,972,615 issued 10/26/99

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5. Blackburn, et al., U.S. Patent No. 6,264,825 issued 07/24/01
6. Yguerabide, et al., U.S. Patent No. 6,14,560 issued 04/10/01
7. International Patent WO 94/29484 published 12/22/94
8. International Patent WO 00/25136 published 05/04/00
9. Mohanty J., et al., "Pulsed laser excitation of phosphate stabilized silver nanoparticles," *Proc. Indian Acad.*, Vol. 112, No. 1, p. 63-72 (2000)
10. Peña-Nicewarner S., et al., "Hybridization and Enzymatic Extension of Au Nanoparticle-Bound Oligonucleotides," *J. Am. Chem. Soc.*, Vol. 124, p. 7314-7323 (2002)
11. Whitesides G.M., et al., "Soft Lithography in Biology and Biochemistry," *Annu. Rev. Biomed. Eng.*, p. 335-373 (2001)

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Respectfully submitted,

Dated: 1/14/04



Emily Miao
Registration No. 35,285

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Chicago, Illinois 60606
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FORM PTO-1449
(Rev. 2-32)

U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.

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Serial No.

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November 18, 2003

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U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	1.	4,996,143	02/26/91	Heller, et al.	435	6	04/13/90
	2.	5,508,164	04/16/96	Kausch, et al.	435	6	10/29/93
	3.	5,922,537	07/13/99	Ewart, et al.	435	6	11/8/96
	4.	5,972,615	10/26/99	An, et al.	435	6	01/21/98
	5.	6,264,825	07/24/01	Blackburn, et al.	205	777.5	06/23/99
	6.	6,214,560	04/10/01	Yguerabide, et al.	435	7.1	04/18/97

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation Yes	Translation No
	7.	WO 94/29484	12/22/94	PCT				
	8.	WO 00/25136	05/04/00	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

	9.	Mohanty J., et al. "Pulsed laser excitation of phosphate stabilized silver nanoparticles," <i>Proc. Indian Acad. Sci.</i> , Vol. 112, No. 1, p. 63-72.
	10.	Peña-Nicewarner S., et al., "Hybridization and Enzymatic Extension of Au Nanoparticle-Bound Oligonucleotides," <i>J. Am. Chem. Soc.</i> , Vol. 124, p. 7314-7323 (2002)
	11.	Whitesides G.M., et al., "Soft Lithography in Biology and Biochemistry," <i>Annu. Rev. Biomed. Eng.</i> , p. 335-373 (2001)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.